

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

WILLIAM NORMAN BROOKS, III,

*Plaintiff,*

v.

TRANS UNION, LLC,

*Defendant.*

Civil Matter No. 2:22-cv-00048-KSM

**JOINT STATUS REPORT**

Pursuant to the Court's August 8, 2024 Order (Doc. No. 118), Plaintiff William Norman Brooks, III and the Certified Class, and Defendant Trans Union, LLC, by and through their undersigned counsel, hereby provide this Joint Report regarding a further schedule for proceedings in this matter following the Court's Order certifying the class (Doc. No. 116).

Further proceedings in this matter will include identification of class members, compilation of a class list, the sending of notice to class members per Fed. Rule Civ. P. 23(c)(2)(B) (requiring direct notice to members of classes certified under Rule 23(b)(3)), merits discovery, dispositive briefing, and pretrial proceedings. The Parties have begun to develop a series of agreed steps for each of these phases and an order in which they should occur, as well as tentative time frames for each. The Parties have also discussed the appropriate timing for settlement discussions. The Parties have exchanged multiple draft schedules, detailed email correspondence, and participated in two detailed telephone conferences regarding further proceedings since this Court's August 8, 2024 Order.

The Parties agree that compilation of a class list and the sending of notice, and the timing for this process, is essential to determining the remaining deadlines in order to avoid a one-way intervention problem that may arise when merits issues are decided before notice to a class is

disseminated. *See Taha v. County of Bucks*, 862 F.3d 292, 298-300 (3d Cir. 2017) (*quoting Am. Pipe & Contrst. Co. v Utah*, 414 U.S. 538, 545-47 (1974)). Understanding the size of the certified class is also a necessary predicate for conducting productive settlement discussions.

Class Counsel have consulted with their expert Jonathan Jaffe and have proposed that the class list compilation process should include providing Mr. Jaffe with direct access to relevant Trans Union systems so that he can work in consultation with relevant and knowledgeable Trans Union personnel to develop and test a process to extract FFR (and, to the extent necessary FFI) from the necessary systems, and optimize the process for efficiency. Because this proposal will require detailed meet and confer efforts regarding the identification of relevant systems, the nature and extent of the access provided, and compliance with Trans Union data security protocols for sensitive personally-identifiable information and credit history information, including the involvement of multiple subject matter experts within Trans Union, the Parties respectfully request an additional seven (7) days to complete their discussions and propose a complete set of deadlines to the Court.

Date: August 12, 2024

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